

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSEPH A RODRIGUEZ,

Plaintiff,

v.

AMERICAN POSTAL WORKERS
UNION, AFL-CIO,

Defendant.

2:09-CV-506 JCM (GWF)

ORDER

Presently before the court is the report and recommendation of United States Magistrate Judge George W. Foley. (Doc. # 7).


Upon reviewing the plaintiff's amended complaint (doc. # 5), Judge Foley recommended that plaintiff's racial discrimination claim pursuant to 42 U.S.C. §§ 2000e - 2000e-17 be dismissed with prejudice due to plaintiff's failure to state sufficient allegations in support of his claim that defendant American Postal Workers' Union discriminated against him on the basis of race. Judge Foley also notes that the court previously granted plaintiff leave to amend the complaint, but the plaintiff failed to cure the deficiencies in the racial discrimination claim.

Local Rule IB 3-1 states that any party wishing to object to the ruling of the magistrate judge on a pretrial matter shall file a specific objection within ten (10) days from the date of service of the magistrate judge's ruling.

Upon review of the magistrate judge's findings and recommendation (Doc. # 7) and there being no objections filed,

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that United States Magistrate
2 Judge George W. Foley's report & recommendation (Doc. #7) is AFFIRMED in its entirety. The
3 plaintiff's racial discrimination claim is hereby DISMISSED with prejudice.

4 DATED May 19, 2010.

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7 UNITED STATES DISTRICT JUDGE
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